

1 **UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS**

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3 **FILED**

4 **U.S. DISTRICT COURT**

5 **MASSACHUSETTS OFFICE**

6 **2005 MAY 2 A 10:46**

7 DR. EMILIO MEYER,

8 U.S. DISTRICT COURT

9 MASSACHUSETTS

10 Plaintiff,

11 : Civ. Action No.

12 - against -

13 : 1:05-cv-10681-NMG

14 GENERAL ELECTRIC COMPANY,

15 : REQUEST FOR ENTRY

16 GE INFRASTRUCTURE, INC.,

17 : OF AN ORDER OF DEFAULT

18 GE INFRASTRUCTURE SENSING, INC.,

19 :

20 GE PANAMETRICS, PANAMETRICS, INC.,

21 :

22 and DOES 1 through 20,

23 :

24 Defendants.

25 :

26 -----x

27 Plaintiff DR. EMILIO MEYER, and by his undersigned attorneys, requests the Entry of

28 an Order of Default against Defendant GENERAL ELECTRIC COMPANY pursuant to the

1 Plaintiff DR. EMILIO MEYER, and by his undersigned attorneys, requests the Entry of

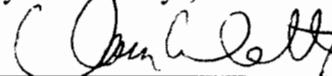
2 an Order of Default against Defendant GENERAL ELECTRIC COMPANY pursuant to the

3 Affidavit of Douglas E. Watts in Support of Request for Entry of an Order of Default,

4 respectfully submitted herewith, and Federal Rule of Civil Procedure 55.

5 DR. EMILIO MEYER

6 By his attorneys,

7 

8 **Antonio Valla, CA Bar # 136256**

9 **Douglas E. Watts, CA Bar # 182274**

10 **Stephanie L. Southwick, CA Bar # 226631**

11 **(Admitted Pro Hac Vice)**

12 Gilliss Valla & Dalsin, LLP

13 3470 Mt. Diablo Blvd., Suite A-215

14 Lafayette, CA 94549

15 Tel. 925 962-9009

16 5/6/05

17 Date

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1 **UNITED STATES DISTRICT COURT FOR**  
2 **THE DISTRICT OF MASSACHUSETTS**

3 DR. EMILIO MEYER,

4 Plaintiff,

5 - against -

FILED  
IN THIS OFFICE  
2005 MAY 12 A 10:46  
U.S. DISTRICT COURT  
DISTRICT OF MASSACHUSETTS  
CIVIL ACTION NO.

1:05-cv-10681-NMG

6 GENERAL ELECTRIC COMPANY, :

7 CERTIFICATE OF SERVICE

GE INFRASTRUCTURE, INC., :

GE INFRASTRUCTURE SENSING, INC., :

GE PANAMETRICS, PANAMETRICS, INC., :

8 and DOES 1 through 20, :

9 Defendants. :

10 ----- x

12 The undersigned declares that:

14 I am employed in the County of Contra Costa, State of California. I am over the age of 18 and  
15 not a party to this action. My business address is: 3470 Mt. Diablo Blvd., Suite A-215,  
16 Lafayette, CA 94549.

17 On May 11, 2005, I served a true and correct copy of the following documents:

19 1. AFFIDAVIT OF DOUGLAS E. WATTS IN SUPPORT OF REQUEST FOR ENTRY  
20 OF AN ORDER OF DEFAULT AND EXHIBITS A - B  
21 2. REQUEST FOR ENTRY OF AN ORDER OF DEFAULT  
22 3. PROOF OF SERVICE

24 on all parties and counsel listed below:

25 General Electric Company  
c/o CT Corporation System  
101 Federal Street  
26 Boston, MA 02110

1  **BY U.S. MAIL:** I am familiar with our business practices for collecting and processing  
2 of mail for the United States Postal Service. Mail placed by me within the office for collection  
3 for the United States Postal Service would normally be deposited with the United States Postal  
4 Services that day in the ordinary course of business. The envelope(s) bearing the address(es)  
5 above was sealed and placed for collection and mailing on the date below following our ordinary  
6 business practices.

7 I declare under penalty of perjury that the foregoing is true and correct.

8

9 Date: May 11, 2005



10  
11 Amber Salazar  
12 Gilliss Valla & Dalsin, LLP  
13 3470 Mt. Diablo Blvd., Suite A-215  
14 Lafayette, CA 94549  
15 Tel. 925 962-9009  
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1 **UNITED STATES DISTRICT COURT FOR**  
 2 **THE DISTRICT OF MASSACHUSETTS**

3 DR. EMILIO MEYER,

4 Plaintiff, : Civ. Action No.  
 5 : 1:05-cv-10681-NMG

- against -

6 GENERAL ELECTRIC COMPANY, :  
 7 GE INFRASTRUCTURE, INC., :  
 8 GE INFRASTRUCTURE SENSING, INC., :  
 9 GE PANAMETRICS, PANAMETRICS, INC., :  
 and DOES 1 through 20, :

AFFIDAVIT OF DOUGLAS  
 E. WATTS IN SUPPORT OF  
 REQUEST FOR ENTRY OF  
 AN ORDER OF DEFAULT

10 Defendants. :

11 I, Douglas E. Watts, declare as follows:

12 1. I am an attorney at law duly licensed to practice in the State of California, and am  
 13 admitted to appear on behalf of plaintiff Dr. Emilio Meyer *pro hac vice* in the above-captioned  
 14 matter.

15 2. On April 15, 2005, I caused to be served on Defendants General Electric Company a true  
 16 and correct copy of the Complaint and Summons in the above-captioned matter.

17 3. Attached hereto as Exhibit A is a true and correct copy of a duly executed Proof of  
 18 Service, which I caused to be filed with this Court on May 9, 2005, and which the Court entered  
 19 on May 11, 2005.

20 4. Defendant General Electric Company's responsive pleading was due on or before May 5,  
 21 2005.

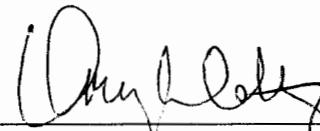
22 5. Defendant General Electric Company has failed to file a responsive pleading or otherwise  
 23 defend this action within the applicable time period.

24 6. Therefore, on behalf of plaintiff Dr. Emilio Meyer, I request that the Court grant this  
 25 request for default against General Electric Company, pursuant to the [Proposed] Order attached  
 26 hereto as Exhibit B.

27 28 I declare under penalty of perjury under the laws of the Commonwealth of Massachusetts

1 that the foregoing is true and correct. Executed this 11<sup>th</sup> day of May, 2005.

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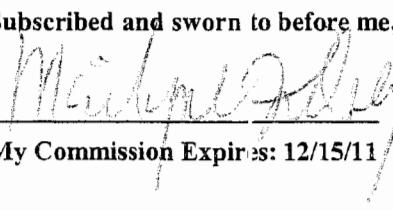
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**Douglas E. Watts, (Pro Hac Vice)**  
Gilliss Valla & Dalsin, LLP  
3470 Mt. Diablo Blvd., Suite A-215  
Lafayette, CA 94549  
Tel. 925 962-9009

Gilliss Valla & Dalsin, LLP  
3470 Mt. Diablo Blvd., Ste. A-215  
Lafayette, CA 94549  
www.gvd-law.com

## RETURN OF SERVICE

Service of the Summons and Complaint was made by me (1)		DATE	April 15, 2005
NAME OF SERVER	THOMAS G. JACKSON	TITLE	Process Server / A Disinterested Person
Check one box below to indicate appropriate method of service			
<input type="checkbox"/> Served personally upon the defendant. Place where served: <hr/>			
<input type="checkbox"/> Left copies thereof at the defendant's dwelling or usual place of abode with a person of suitable age and discretion then residing therein. Name of person whom the summons and complaint were left: <hr/>			
Said service was made at: _____, MASSACHUSETTS			
<input checked="" type="checkbox"/> Other: By handing true and attested copies thereof to <u>Ms. Dahrelena Mitchell, Manager for CT Corporation System, Registered</u> <u>Body Authorized</u> Agent for the within-named <u>Defendant, General Electric Company.</u> Said service was made at: <u>3:40p.m. at 101 Federal Street, Boston</u> _____, MASSACHUSETTS			
STATEMENT OF SERVICE FEES			
SERVICE FEE \$ _____		Trips	
DECLARATION OF SERVER			
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.			
Executed on	<u>April 15, 2005</u>		<u>Thomas G. Jackson</u>
	Date		Signature of Server
			<u>One Devonshire Place, Boston, Massachusetts</u>
			Address of Server
ADDITIONAL INFORMATION			
PLEASE NOTE THAT IT WAS NECESSARY TO MAKE _____ ATTEMPTS BEFORE MAKING PROPER SERVICE.			
Date	Time	Remarks	FEE
			\$ _____
			\$ _____
			\$ _____
			\$ _____
Also served: Civil Cover Sheet, Motion for Appearance Pro Hac Vice, Certificate of Antonio Valla, Certificate of Douglas E. Watts, Certificate of Stephanie L. Southwick			
		TOTAL	\$ _____
Subscribed and sworn to before me, a Notary Public, this 15th Day of April, 2005			
 My Commission Expires: 12/15/11			

(1) As to who may serve a summons see Rule 4 to the Federal Rules of Civil Procedure.

**UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF MASSACHUSETTS**

DR. EMILIO MEYER,

- against -	Plaintiff,	:	Civ. Action No. 1:05-cv-10681-NMG
	RAL ELECTRIC COMPANY, FRASTRUCTURE, INC., FRASTRUCTURE SENSING, INC., PANAMETRICS, PANAMETRICS, INC., DOES 1 through 20,	:	[PROPOSED] ORDER GRANTING REQUEST FOR DEFAULT AGAINST GENERAL ELECTRIC
	Defendants	:	

## Defendants.

It appearing to the satisfaction of this Court that defendant, General Electric Company, having been regularly served with process in this matter, having failed to timely file a responsive pleading to the Complaint on file herein within the applicable time period, and the default of said defendant having been duly and properly requested by plaintiff DR. EMILIO MEYER,

IT IS HEREBY ORDERED that the Default of defendant General Electric Company shall forthwith be entered.

Date

The Hon. Nathaniel M. Gorton,  
Judge of the United States District Court,  
District of Massachusetts

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

Dr. Emilio Meyer

Plaintiff

CIVIL ACTION

NO. 1:05-cv-10681 NMG

v.

General Electric Company,  
GE Infrastructure, Inc.,  
GE Infrastructure Sensing, Inc.,  
GE Panametrics, Panametrics, Inc.,  
And Does 1 through 20,

Defendants

NOTICE OF DEFAULT

Upon application of the Plaintiff, Dr. Emilio Meyer for an order of Default for failure of the Defendant, General Electric Company, to plead or otherwise defend as provided by Rule 55(a) of the Federal Rules of Civil Procedure, notice is hereby given that the Defendant has been defaulted this 17th day of May, 2005.

SARAH A. THORNTON  
CLERK OF COURT

By:

*Elizabeth T. Fletcher*  
Deputy Clerk 617-748-4073

Notice mailed to: Ms. Dahrlena Mitchell, Manager for CT Corporation System  
101 Federal Street, Boston MA